

**Notice of Allowability**

Application No.

10/620,790

Examiner

Thomas H. Parsons

Applicant(s)

TAKAMURA ET AL.

Art Unit

1745

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 31 January 2006.
2. ☒ The allowed claim(s) is/are 2-7 and 9-13.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 02/09/2006
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

### **REASONS FOR ALLOWANCE**

1. The following is an examiner's statement of reasons for allowance:

Applicant's arguments, see page 7, line 2 through page 9, line 12, filed 31 January 2006, with respect to claims 1-13 have been fully considered and are persuasive. The rejections of the claims have been withdrawn.

The claimed invention is directed toward a metal separator for a fuel cell provided with a first separator member having a first rising wall section formed to be spaced apart from a formed section for introducing a gas by a predetermined distance, the first rising wall section performing a positional alignment; and a second separator member having a second rising wall section formed to be spaced apart from a formed section for introducing a gas by the predetermined distance, the second rising wall section performing a positional alignment; wherein the first rising wall section is fittingly inserted into the second rising wall section; and the first rising wall section and the second rising wall section are folded and caulked, thereby being bonded to each other.

EP 0 978 891 discloses a metal separator for a fuel cell provided with a first separator member having a formed section for introducing a gas (i.e. a gas channel), and a second separator member having a formed section for introducing a gas (i.e. a gas channel).

JP11-239834 discloses a first metal sheet having a first rising wall section and a second metal sheet having a second rising wall section; wherein the first rising wall section is fittingly inserted into the second rising wall section and the first rising wall section and the second rising

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wall section are folded and caulked, thereby being bonded to each other. JP11-239834 is concerned with joining a plurality of metallic sheets by punching holes into each metal sheet; wherein the punching creates a rising wall in each sheet, the rising walls are then overlapped, folded by a die press and caulked, creating a high strength joint between the metal sheets.

However, the combination of references would not lead one skilled in the art to a first rising wall section formed to be spaced apart from a formed section by a predetermined distance, the first rising wall section performing a positional alignment, and a second rising wall section formed to be spaced apart from the formed section by a predetermined distance, the second rising wall section performing a positional alignment.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas H. Parsons whose telephone number is (571) 272-1290. The examiner can normally be reached on M-F (7:00-4:30) First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Pat Ryan can be reached on (571) 272-1292. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thomas H Parsons  
Examiner  
Art Unit 1745

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**PATRICK JOSEPH RYAN**  
**SUPERVISORY PATENT EXAMINER**